

**COMBINED DECLARATION AND POWER OF ATTORNEY**

ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL

As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is of the following type: Original

**INVENTORSHIP IDENTIFICATION**

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**LINE AMPLIFICATION SYSTEM FOR WAVELENGTH SWITCHED OPTICAL NETWORKS****SPECIFICATION IDENTIFICATION**

the specification of which: is attached hereto

**ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations. § 1.56(a).

**PRIORITY CLAIM**

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Country	Application No.	Date of Filing dd/mm/yyyy	Priority Claimed Under 37 USC 119
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ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Country	Application No.	Date of Filing
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COPY

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status (patented, pending, abandoned)
09/876,391	June 7, 2001	Pending
60/306,302	June 13, 2001	Pending

#### POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s), all of whom are associated with Watts, Hoffmann, Fisher & Heinke Co., L.P.A. having offices at 1100 Superior Avenue East, Suite 1750, Cleveland, Ohio, 44114-2518, USA, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Thomas E. Fisher Reg. No. 18, 271	Linn J. Raney, Reg. No. 23,078
Lowell L. Heinke, Reg. No. 19,471	Stephen J. Schultz, Reg. No. 29,108
John R. Hlavka, Reg. No. 20, 076	Paul A. Serbinowski, Reg. No. 34,429
George L. Pinchak, Jr., Reg. No. 37,697	Richard A. Sharpe, Reg. No. 34,722
Kenneth J. Smith, Reg. No. 45,115	James G. Watterson, Reg. No. 20,180
Robert J. Diaz, Reg. No. 44,655	William A. Johnson, Reg. No. 47,687

and I hereby designate the foregoing Kenneth J. Smith Reg. No. 45,115 Principal attorney

This appointment shall include all power to prosecute and transact all business relating to all applications corresponding to this application in all countries, including all regional and international patent offices, such as, but not limited to, the European Patent Office and all offices and bureaus established in accordance with the Patent Cooperation Treaty.

I hereby further designate and appoint any officer of Watts, Hoffmann, Fisher & Heinke Co., L.P.A. my attorney in fact with full power of substitution and revocation, including power to designate a substitute principal attorney.

Address all correspondence to:  
WATTS, HOFFMANN, FISHER & HEINKE CO., L.P.A.  
1100 SUPERIOR AVE., STE. 1750  
CLEVELAND, OHIO 44114

Direct all telephone calls to Kenneth J. Smith At (216) 241-6700 and direct all facsimile correspondence to (216) 241-8151.

### DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such wilful false statements may jeopardize the validity of the application or any patent issued thereon.

### SIGNATURE (s)

Full name of first inventor: **JONES, Kevan Peter**

Country of Citizenship: **United Kingdom**

Residence Address: 29 Slade Crescent, Kanata, Ontario, K2K 2L1, Canada

Post Office Address: **Same as Residence Address**

Date: 9/10/2001

Signature:



Full name of second inventor: **WIGHT, Mark Stephen**

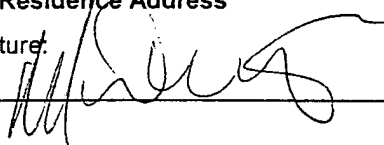
Country of Citizenship: **Canada**

Residence Address: 31 Fulton Avenue, Ottawa, Ontario, K1S 4Y5, Canada

Post Office Address: **Same as Residence Address**

Date: 9/10/2001

Signature:



Full name of third inventor: **SOLHEIM, Alan Glen**

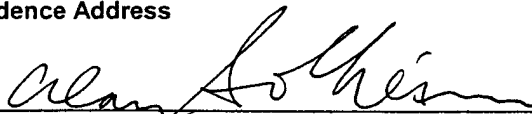
Country of Citizenship: **Canada**

Residence Address: 15 Havenwood Trail, Stittsville, Ontario, K2S 1C9, Canada

Post Office Address: **Same as Residence Address**

Date: 9/10/2001

Signature:



Full name of fourth inventor: **BEER, Paul Edward**

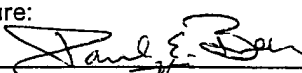
Country of Citizenship: **Canada**

Residence Address: 9 Lima Way, Nepean, Ontario K2J 3C2, Canada

Post Office Address: **Same as Residence Address**

Date: 9/10/2001

Signature:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: JONES et al.

Serial No: 09/975,362

Group No: 2661

Filed: October 11, 2001

Examiner:

For: LINE AMPLIFICATION SYSTEM FOR WAVELENGTH SWITCHED OPTICAL NETWORKS

Attorney Docket No.: GSH 08-892931

Assistant Commissioner of Patents

Washington, D.C. 20231

**POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST  
AND REVOCATION OF PRIOR POWERS**

As assignee of record of the entire interest of the above-identified application, all powers of attorney previously given are hereby revoked and the following attorneys are hereby appointed to prosecute and transact all business in the Patent and Trademark Office connected therewith:

HAYES SOLOWAY P.C., a firm composed of Oliver W. Hayes, Reg. No. 15,867; William O. Hennessey, Reg. No. 32,032; and Jeffrey T. Placker, Reg. No. 47,862, of 175 Canal Street, Manchester, New Hampshire 03101 (Telephone: 603-668-1400); and Norman P. Soloway, Reg. No. 24,315; and Kevin M. Drucker, Reg. No. 47,537 of 130 W. Cushing Street, Tucson, Arizona 85701 (Telephone: 520-882-7623) or any of them.

Please direct all future correspondence in connection with this application to the attention of Norman P. Soloway, HAYES SOLOWAY P.C., 130 W. Cushing Street, Tucson, Arizona 85701 (Telephone: 520-882-7623). Please direct telephone calls to Norman Soloway.

INNOVANCE NETWORKS

(Type or print identity of assignee of entire interest)

15 CORPORATE PLACE SOUTH, PISCATAWAY, NEW JERSEY

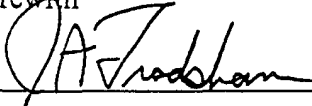
Address

U.S. 08854

☒ Recorded in U.S. Patent Office on 10/11/2001 Reel 012269 Frame 0465

Attached to this power is a "CERTIFICATE UNDER 37 CFR 3.73(b)."

☐ Recorded herewith

Signature: 

Date: May 6, 2002

Name: JAMES FRODSHAM

Title: CHIEF OPERATING OFFICER

(type or print name and title of person authorized to sign on behalf of assignee)

COPY

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant: JONES et al.

Application No.: 09/975,362 Filed: October 11, 2001

Entitled: LINE AMPLIFICATION SYSTEM FOR WAVELENGTH SWITCHED OPTICAL NETWORKS

INNOVANCE NETWORKS, a CORPORATION  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 012269, Frame 0465, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

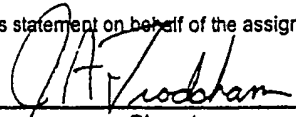
1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

May 6, 2002  
Date

  
Signature  
JAMES FROODHAM  
Typed or printed name  
CHIEF OPERATING OFFICER  
Title

**COPY**